

United States v. Don Eugene Siegelman
and Richard M. Scrushy
2:05cr119-MEF
EXHIBIT 8

AFFIDAVIT

State of Alabama

County of Jefferson

BEFORE ME, the undersigned Notary, Donna Amstutz (Notary)
on this 9th day of August, 2006 personally appeared
[REDACTED] [name of affiant].

Q. [REDACTED], What brings you here today?

"I was a juror in the Siegleman/Scrushy trial. I have been very unhappy since the trial. I talked to my wife's pastor about all this. He said that I might need to talk about it to relieve the guilt. I feel like I've done the wrong thing concerning the verdict. I'm not sleeping good. If I had it to do all over again, I would not vote guilty. We were pressured to hurry up I never thought they would go to jail and many other jurors thought to, cause we discussed it. I thought maybe they would pay a fine because of who they were. Now I am unhappy that they didn't tell us right and the governor and Scrushy might go to jail for years."

Q. So, since the trial you have been having trouble sleeping. What are you experiencing?

"I can't sleep. I replay the whole trial over and over every night and even at work during the day. I feel like we was pressured. I'm unhappy about the whole thing. I feel like we made the wrong decision."

Q. Who applied the pressure? Describe the kind of pressure applied.

"The Judge practically threatened us. He said that he was appointed for a lifetime to be a judge so he has all the time in the world. He said he had no problem holding us until next Fourth of July or however long it takes to reach a verdict. So I felt the pressure and forced to just agree with most of the other jurors and just reach a verdict, right or wrong. I decided, "what the use". I was behind on my bills; I had been away from my family and my job everyday. When the judge said that, he was threatening my survival. They only paid us \$40 a day. My truck broke down during all the driving to Montgomery and I had to pay \$2000 to get it fixed. So I continued to go along with the deal making to get it over with. I told them to let me know when they had it figured out, then I'd vote whichever way they needed me to."

Q. What do you mean there were deals being made?

"They were bargaining to speed up things. It was like an auction. They agreed to drop certain charges and keep certain charges to make things go faster. I told them to do whatever about Siegleman and Scrushy; I would go with them, but just get it over with."

Q How has this trial and the way it was handled affected your life?

"I am unhappy. My wife says I'm mean and ornery now because of my level of stress. I told her that I don't ever want to go back to Montgomery ever. I replay the whole thing over and over. All the information on all those men was too much for us to decide on. Nobody understands the pressure we were under. Now that I have had time to really think about it without being pressured, I know I would have voted differently. I can not live with myself, knowing they could go to jail. I can not get it off my mind. I know we've done the wrong thing."

Q. Have you seen a doctor to help you with your symptoms? Some of the problems you have mentioned are common for post jury stress or post traumatic shock syndrome

"No, but I am going to that's for sure. I have talked to my wife's Pastor. He prayed and talked with us, and told us to come and talk to you today so maybe something can be done."

Q. Were you advised by the court or judge about the possibility of post stress or how to handle the enormous stress of a high profile case?

"NO"

Q Did anyone at anytime talk to the jury about the effects of jury stress?

"NO"

Q. So what you are really saying is that you were coerced, forced, and compelled by the judge. You were intimidated by his power to detain you, and authority to force the jury to reach a speedy verdict. Now you are experiencing some level of trauma, shock and guilt as a result?

"I just wanted to get out of there and so did everybody else. It was very upsetting in there, and very tense. I was confused between all the evidence and other Internet stuff and information that some of the jurors brought in and was talking about. I don't think they should have done that."

Q. Who brought in Internet information?

"I don't know who brought it for sure. They were pulling stuff out of files and some were talking about having Internet information and talking about that too. So we considered everything that everybody brought and pulled out of the file."

Q Do you feel misled?

"I thought that the governor had put the money from Healthsouth in his personal account. But now I know that ain't true."

Q How do you know the information was wrong?

"Cause I heard it on a newscast, then I remembered the evidence in the trial; but in jury room they said something else".

Q [REDACTED] what is your greatest concern to bring resolution to this situation?

"What bothers me most is that during the deadlock, I never believed that these men would go to jail that they had plenty of money and would get a hand slap and a fine, so it really didn't matter what we decided. Now I see that they may go to jail. I can not live with that when I know all this stuff and how we bargained with the charges just to speed things up and please the judge. Without all of that pressure it would have been a hung jury, plain and simple."

Q So you believe it would have been a hung jury if the judge had not coerced, forced and manipulated the jury to reach a verdict?

Yes, I know it."

Q What do you think the judge could have done differently?

"He should have accepted our first decision. Two times we came back to him and said that we could not decide and we were deadlocked. But he sent us back, applied pressure and told us to figure it out and get a verdict. If he had not done that, it would have been a hung jury. I had to put myself in their place. What if I had had a hung jury two times, then the judge did what he did. I started thinking that this was not right. We knew the whole time we were hung. But after the judge said that, we had to do whatever to get out of there. The jury pretty much was split. Everybody had reasonable doubt when we took a poll. We were hung the whole time. But we had to give in and get it together to do what the judge said. Basically, many of us had to change our vote. The judge would not be satisfied with a split decision."

[Signature of affiant]

[Printed name of affiant]

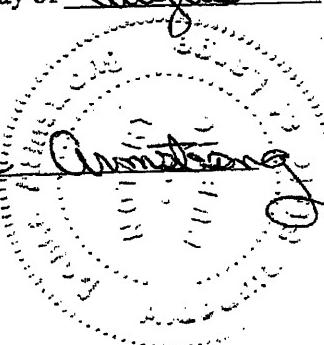
[Address of affiant, line 1]

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Subscribed and sworn to before me, this 5th day of August,
2006.

[Notary Seal:]

Donna Armstrong

Donna Armstrong


[Printed name of Notary]

[Signature of Notary]

NOTARY PUBLIC My commission expires: 6-2, 2008.